

EXHIBIT D

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----x
DR. PAUL M. CONTI,

Plaintiff, Case No.

- against - 17-CV-9268

JOHN DOE,

Defendant.
-----x

DEPOSITION OF ZIV E. COHEN, M.D.

New York, New York

Friday, November 15, 2019

10:09 a.m.

Reported by:
ERICA L. RUGGIERI, RPR
JOB NO. 3771823

November 15, 2019

10:09 a.m.

Deposition of ZIV E. COHEN,
M.D., held at the offices of Judd
Burstein, P.C., 5 Columbus Circle,
Suite 1501, New York, New York,
pursuant to Notice, before Erica L.
Ruggieri, Registered Professional
Reporter and Notary Public of the
State of New York.

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A P P E A R A N C E S:

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S T I P U L A T I O N S

IT IS HEREBY STIPULATED AND
AGREED, by and between the attorneys
for the respective parties herein,
that filing and sealing be and the
same are hereby waived.

IT IS FURTHER STIPULATED AND
AGREED that all objections, except
as to the form of the question,
shall be reserved to the time of the
trial.

IT IS FURTHER STIPULATED AND
AGREED that the within deposition may
be sworn to and signed before any
officer authorized to administer an
oath, with the same force and effect
as if signed and sworn to before the
Court.

1 Z I V E. COHEN, M.D.

2 Z I V C O H E N, called as a
3 witness, having been duly sworn by a
4 Notary Public, was examined and
5 testified as follows:

6 EXAMINATION BY

7 MR. SCHALK:

8 Q. Dr. Cohen, how are you?

9 A. I'm well, thanks.

10 Q. You understand that you are
11 under oath?

12 A. Yes.

13 Q. I see from your submissions
14 that you have provided testimony in
15 the past, correct?

16 A. Correct.

17 Q. Have you ever been -- in
18 addition to testifying at trials,
19 have you ever been deposed?

20 A. Have not.

21 Q. So we will go over some of
22 the ground rules for you. All
23 right?

24 A. (Witness nods.)

25 Q. One of them is nodding is

1 ZIV E. COHEN, M.D.

2 established you know who John

3 Doe is, yes?

4 A. From this case, yes.

5 Q. Have you ever met him?

6 A. No.

7 Q. Have you ever communicated
8 with him in writing?

9 A. No.

10 Q. Are you aware who
11 Dr. Michael Jenike is?

12 A. Am I aware. It depends --
13 I am aware that there is -- I'm
14 aware of his existence. I mean to
15 what extent -- how much knowledge
16 you are asking for. I have very
17 little knowledge about him, but I'm
18 aware of his existence.

19 Q. That's a philosophical
20 answer. So prior to this litigation
21 had you ever heard of Dr. Michael
22 Jenike?

23 A. I had not.

24 Q. And so is your only
25 awareness of Dr. Michael Jenike's